

OCT 24 2005

**BLAKELY
SOKOLOFF
TAYLOR &
ZAFMAN**A LIMITED LIABILITY
PARTNERSHIP INCLUDING
LAW CORPORATIONSTwo Union Square
601 Union Street, Suite 3000
Seattle, Washington 98101-1365
(206) 292-8800 (Telephone) (206) 292-8806 (Facsimile)

Due Date: 10/24/20 15

FACSIMILE TRANSMITTAL SHEET (TRANSMITTAL TO PTO)

Deliver to: Examiner Anthony M. Sol
Firm Name: U.S. PATENT AND TRADEMARK OFFICE
Fax Number: (571) 273-8300 Telephone No.: _____
From: R. Alan Burnett
Date: October 24, 2005 Time: _____
Operator: YTT Matter: 42P19777

Number of pages including cover sheet: 13 pages

In Re Patent Application of: Robert J. Simcoe
Application No.: 10/038,329
Filed: October 22, 2001
For: TECHNIQUE FOR PROVIDING END-TO-END CONGESTION CONTROL
WITH NO FEEDBACK FROM A LOSSLESS NETWORK

Enclosed are the following documents:

- Transmittal Letter – in duplicate (4 pages)
- Amendment and Request for Reconsideration (8 pages)

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on:

Date of Transmission October 24, 2005Yuko Tanaka

(Typed or printed name of person transmitting paper)

Y. Tanaka

(Signature of person transmitting paper)

CONFIDENTIALITY NOTE

The documents accompanying this facsimile transmission contain information from the law firm of Blakely Sokoloff Taylor & Zafman LLP that is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution, or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

IF YOU EXPERIENCE ANY DIFFICULTY IN RECEIVING THE ABOVE PAGES, PLEASE CALL (408) 720-8300 AND / OR ASK FOR THE OPERATOR NAMED ABOVE.

10/25/03

RECEIVED
CENTRAL FAX CENTER

OCT 24 2005

Attorney's Docket No.: 42P19777

Patent

In re the Application of: Robert J. Simcoe

(inventor(s))

Application No.: 10/038,329

Filed: October 22, 2001

For: TECHNIQUE FOR PROVIDING END-TO-END CONGESTION CONTROL WITH NO FEEDBACK
FROM A LOSSLESS NETWORK

(title)

Mail Stop Amendment
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

SIR: Transmitted herewith is an Amendment and Request for Reconsideration for the above-referenced application.

Applicant claims small entity status. See 37 CFR 1.27.

☒ No additional fee is required.

The fee has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		OTHER THAN SMALL ENTITY	
	Claims Remaining After Amd.		Highest No. Previously Paid For	Present Extra	Rate	Additional Fee	Rate	Additional Fee
Total Claims	* 20	Minus	** 20	0	X25	\$	X50	\$ 0
Indep. Claims	* 4	Minus	*** 4	0	X100	\$	X200	\$ 0
First Presentation of Multiple Dependent Claim(s)					+180	\$	+360	\$
					Total Add. Fee	\$	Total Add. Fee	\$ 0

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest No. Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

CERTIFICATE OF TRANSMISSION

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE TRANSMITTED TO THE PATENT AND TRADEMARK OFFICE ON:

Date of Transmission: October 24, 2005

Yuko Tanaka

(Typed or printed name of person transmitting paper)

Y. Tanaka

(Signature of person transmitting paper)

- _____ A check in the amount of \$ _____ is attached for presentation of additional claim(s)
- _____ Applicant(s) hereby Petition(s) for an Extension of Time of _____ month(s) pursuant to 37 C.F.R. § 1.136(a).
- _____ A check for \$ _____ is attached for processing fees under 37 C.F.R. § 1.17.
- _____ Please charge my Deposit Account No. 02-2666 the amount of \$ _____.
- _____ A duplicate copy of this sheet is enclosed.
- ☒ The Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 02-2666 (a duplicate copy of this sheet is enclosed):
- ☒ Any additional filing fees required under 37 C.F.R. § 1.16 for presentation of extra claims.
- ☒ Any extension or petition fees under 37 C.F.R. § 1.17.

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date: OCT 24, 2005

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025
(206) 292-8600

R. Alan Burnett
R. Alan Burnett
Reg. No. 46,149

RECEIVED
CENTRAL FAX CENTER

OCT 24 2005

Attorney's Docket No.: 42P19777

Patent

In re the Application of: Robert J. Simcoe

(inventor(s))

Application No.: 10/038,329

Filed: October 22, 2001

For: TECHNIQUE FOR PROVIDING END-TO-END CONGESTION CONTROL WITH NO FEEDBACK FROM A LOSSLESS NETWORK

(title)

Mail Stop Amendment
 COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, VA 22313-1450

SIR: Transmitted herewith is an Amendment and Request for Reconsideration for the above-referenced application.

 Applicant claims small entity status. See 37 CFR 1.27.

 X No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	Claims Remaining After Amd.		Highest No. Previously Paid For	Present Extra	Rate	Additional Fee	Rate	Additional Fee
Total Claims	* 20	Minus	** 20	0	X25	\$	X50	\$ 0
Indep. Claims	* 4	Minus	*** 4	0	X100	\$	X200	\$ 0
First Presentation of Multiple Dependent Claim(s)					+180	\$	+360	\$
					Total	\$	Total	\$ 0
					Add. Fee	\$	Add. Fee	\$ 0

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest No. Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

CERTIFICATE OF TRANSMISSION

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE TRANSMITTED TO THE PATENT AND TRADEMARK OFFICE ON:

Date of Transmission: October 24, 2005

Yuko Tanaka

(Typed or printed name of person transmitting paper)

Y. Tanaka

(Signature of person transmitting paper)

- _____ A check in the amount of \$_____ is attached for presentation of additional claim(s).
- _____ Applicant(s) hereby Petition(s) for an Extension of Time of _____ month(s) pursuant to 37 C.F.R. § 1.136(a).
- _____ A check for \$_____ is attached for processing fees under 37 C.F.R. § 1.17.
- _____ Please charge my Deposit Account No. 02-2666 the amount of \$_____.
- _____ A duplicate copy of this sheet is enclosed.
- ☒ The Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 02-2666 (a duplicate copy of this sheet is enclosed):
- ☒ Any additional filing fees required under 37 C.F.R. § 1.16 for presentation of extra claims.
- ☒ Any extension or petition fees under 37 C.F.R. § 1.17.

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date: Oct 24, 2005

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025
(206) 292-8600

R. Alan Burnett
R. Alan Burnett
Reg. No. 46,149

**RECEIVED
CENTRAL FAX CENTER****OCT 24 2005**

Attorney Docket No. 42P19777

Patent

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office.

October 24, 2005
Date of TransmissionYuko Tanaka
Name of person transmitting paper*Y. Tanaka*
Signature of person transmitting paper**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Robert J. Simcoe

Examiner: Anthony M. Sol

Serial No. 10/038,329

Art Unit: 2662

Filed: October 22, 2001

For: TECHNIQUE FOR PROVIDING END-
TO-END CONGESTION CONTROL
WITH NO FEEDBACK FROM A
LOSSLESS NETWORKMail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**AMENDMENT AND REQUEST FOR RECONSIDERATION**

Sir:

Responsive to the Office Action mailed August 24, 2005, the Applicant requests the Examiner to enter the following amendments and to reconsider all pending claims in view of the amendment and the following remarks.

Docket No.: 42P19777
Ser. No.: 10/038,329

1

Examiner: Sol
Art Unit: 2662